

June 4, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands* – WT Docket No. 03-66
NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

Yesterday, the undersigned spoke on behalf of the Wireless Communications Association International, Inc. ("WCA") with John Muleta, Chief of the Wireless Telecommunications Bureau, regarding the transition from the current MDS/ITFS licensing system to that contemplated by the Coalition Proposal. I expressed WCA's strong sentiment that the Commission should not impose a moratorium or other "freeze" on the filing of applications for modified main stations or for new or modified cells during the period between the adoption of new rules in the above-referenced proceeding and the effective date of the new rules.

I noted that such a freeze would undermine the ability of operators to expand their service offerings during the period, which is likely to be lengthy, between adoption of new rules and their effective date. WCA has previously noted that, although the deployment of wireless broadband systems using MDS/ITFS spectrum has generally been deterred by a site-based licensing system that imposes significant transaction costs, in many markets (particularly those that are more rural and thus have less risk of interference to neighboring systems) operators will incur those costs to expedite system launches. There are several such operators who are currently in the process of preparing applications in hopes of system launches later this year. Since the new rules may not become effective until early 2005, a freeze would clear delay the inauguration of service. Moreover, existing systems often need to be modified, particularly as growing subscriber demand mandates the implementation of frequency reuse techniques such as the sectorization of antenna systems and/or the addition of new cells.

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WCA does not believe that there will be any material harm caused to the transition process by allowing the continued submission and processing of applications during this period. To the extent that any application may be filed during this interim period that is designed to secure an unfair post-transition regulatory advantage, rather than to provide new or expanded service, the petition to deny process will allow interested parties to raise the issue and give the Commission ample opportunity to assure that the transition process is not delayed.

Pursuant to Section 1.1206(b)(2), this notice is being filed electronically with the Office of the Secretary for inclusion in the public record of the above-reference proceedings. Should you have any questions regarding this summary, please contact the undersigned.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

Counsel to the Wireless Communications
Association International, Inc.

cc: John Muleta
Uzoma Onyeije
Joel Taubenblatt
John Schauble